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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 07-00215 JF  
12 v. )  
12 Plaintiff, ) **STIPULATION TO CONTINUE  
13 ) STATUS CONFERENCE AND  
13 ) [PROPOSED] ORDER**  
14 CURTIS LEIGH PARRY, )  
14 Defendant. )  
15 \_\_\_\_\_)

16 Defendant Curtis Parry, by and through his attorney Nicholas P. Humy and the United  
17 States, by and through Assistant United States Attorney Joseph Fazioli, hereby stipulate and  
18 agree to request that the Court continue the hearing currently set for Wednesday, March 25,  
19 2009, in the above captioned matter to Wednesday, April 1, 2009 at 9:00 a.m. The continuance  
20 is requested due to the unavailability of counsel for Mr. Parry.

21 The parties further agree and stipulate that time should be excluded from and including  
22 March 25, 2009 through and including April 1, 2009, to provide counsel reasonable time to  
23 prepare and for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C.  
24 §3161(h)(8)(A) and (B)(iv). Accordingly, the United States and the defendant agree that granting  
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STIPULATION TO CONTINUE STATUS  
CONFERENCE AND [PROPOSED] ORDER  
CR 07-00215 JF

1 the requested exclusion of time will serve the interest of justice and outweigh the interest of the  
2 public and defendant in a speedy trial.

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4 Dated: 3/24/09

/s/  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

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Dated: 3/24/09

/s/  
JOSEPH A. FAZIOLI  
Assistant United States Attorney

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**ORDER**

10 The parties have requested a continuance of the status hearing set for March 25, 2009 due  
11 to the unavailability of defense counsel.

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
13 presently set for Wednesday, March 25, 2009 at 9:00 a.m., be continued to April 1, 2009 at  
14 9:00 a.m.

15 IT IS FURTHER ORDERED, that time should be excluded from and including March  
16 25, 2009 through and including April 1, 2009, to provide counsel reasonable time to prepare and  
17 for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and  
18 (B)(iv).

19 IT IS SO ORDERED.

20 Dated: 3/25/09



JEREMY FOGEL  
United States District Judge

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